IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 13th day of September, 2006
Crl. Bail Application No. 776 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Sabu Lal S/o Sri Surtyanu
R/o Village Naryunka, Patti Mugarsanti,
Patwari Circle Tian, Tehsil Barhkot,
District Uttarkashi. …….. Applicant

Versus

State of Uttaranchal ……. Opposite Party

Arising out of Crime No. 01 of 2006
Under Sections: 409, 467 of I.P.C.
Police Station: Patwari Circle Tian,
District: Uttarkashi.

Hon'ble Prafulla C. Pant, J.

Heard, Mr. Sudhir Singh, learned counsel for the applicant and Mr. Nandan Arya, learned A.G.A for the State.

Applicant Sabu Lal, who is in jail in connection with crime No. 01 of 2006, under Section 409, 467 of the I.P.C., Patwari Circle Tian, Tehsil Barkhot, District Uttarkashi, has sought his release on bail.

After going through the F.I.R. and hearing the parties, at this stage it is not clear, that who is the authority to examine whether actually the applicant committed criminal misappropriation and committed breach of trust, and it is also not clear that who is the authority, who has examined or enquired into the matter, before lodging the F.I.R.

Considering the facts and circumstances, this Court is of the view, that it is a fit case or bail.

Let the applicant be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate, Uttarkashi.

(Prafulla C. Pant, J.)

Dt. 13.09.2006
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